

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TONY RIPPETO, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:14 CV 495 RWS
)	
MIDTOWN AUTO PLAZA FORD, INC.,)	
et al.,)	
)	
Defendants.)	

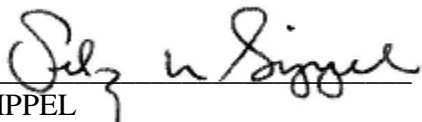
MEMORANDUM AND ORDER

Plaintiffs bring this action against Defendants to recover money allegedly owed for withdrawal liability pursuant to the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 *et seq.* (“ERISA”), as amended by the Multiemployer Pension Plan Amendments Act of 1980 (“MPPAA”), 29 U.S.C. § 1381 *et seq.* On April 20, 2013, Defendant Midtown Auto Plaza Ford, Inc. timely demanded arbitration, as is provided for by the MPPAA. 29 U.S.C. §1401(a)(1). The sole issue for arbitration was whether Midtown was entitled to a “free look” pursuant to 29 U.S.C. § 1390(a)(2). On February 21, 2014, Arbitrator Elliot D. Shriftman issued his opinion and award. Plaintiffs now seek to enforce the arbitrator’s award as provided by 29 U.S.C. § 1401(b)(2).

On May 12, 2017, Plaintiffs moved for default judgment against. The Clerk of Court entered default against Midtown on May 6, 2014 for Midtown’s failure to file an answer or other responsive pleading within the time required by Fed. R. Civ. P. 12.

I have reviewed and carefully considered Plaintiffs’ pleadings and as a result:

IT IS HEREBY ORDERED, ADJUDGED and DECREED that Plaintiffs' motion for default judgment [#20] is **GRANTED**. Judgment is entered in favor of Plaintiff and the opinion and award of arbitrator Elliot D. Shriftman dated February 21, 2014 is **AFFIRMED**.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of May, 2014.